

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

JUDGMENT IN A CIVIL CASE

Kevin M. Kelly

Plaintiff

vs.

CASE NUMBER: 3:13-CV-1110 (DNH/DEP)

New York City Department of Environmental Protection

Defendant

Decision by Court. This action came to hearing before the Court.
The issues have been heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

That defendant's Motion to Dismiss for Failure to State a Claim is GRANTED. Plaintiff's Cross Motion for leave to Amend/Correct the Complaint is DENIED. Therefore the Complaint filed by Kevin M. Kelly is hereby DISMISSED. Judgment is entered in favor of the defendant and this action is closed.

All of the above pursuant to the order of the Honorable Judge David N. Hurd, dated the 4th day of March, 2014.

DATED: March 4, 2014


Clerk of Court

s/ Joanne Bleskoski

Deputy Clerk